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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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RILEY A. CLINE and ZACHARY  
AARON CLINE,

Plaintiffs,

v.

PARKER INDUSTRIES, INC. dba SOFA  
SOURCE,

Defendant.

**DEFAULT JUDGMENT AGAINST  
PARKER INDUSTRIES, INC.**

Case No. 2:21-cv-00635

Magistrate Judge Daphne A. Oberg

Plaintiffs Riley Cline and Zachary Cline brought this action against their former employer, Parker Industries, Inc., on October 26, 2021, asserting claims for discrimination and retaliation under Title VII of the Civil Rights Act of 1964.<sup>1</sup> Parker filed an answer,<sup>2</sup> and the case proceeded to the discovery stage. On August 29, 2022, the court granted the motion to withdraw filed by Parker's former counsel.<sup>3</sup> The court ordered Parker to appear through new counsel within twenty-one days and warned Parker that failure to appear could result in sanctions pursuant to Rule 16(f)(1) of the Federal Rules of Civil Procedure, including dismissal or default judgment.<sup>4</sup> Parker failed to comply with that order. On January 23, 2023, the Clines filed a

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<sup>1</sup> (See Compl., Doc. No. 2); 42 U.S.C. § 2000e *et seq.*

<sup>2</sup> (Doc. No. 11.)

<sup>3</sup> (Doc. No. 48.)

<sup>4</sup> (*Id.* at 2.)

motion for entry of a default certificate due to Parker's failure to appear, citing Rules 55 and 37 of the Federal Rules of Civil Procedure.<sup>5</sup> Parker was served with this motion but never responded.<sup>6</sup> On March 20, 2023, the court found the Clines were entitled to default judgment against Parker, pursuant to Rule 16(f)(1), as a sanction for Parker's failure to comply with the court's order to appear through new counsel.<sup>7</sup> But the court deferred entry of a default judgment against Parker pending submission of evidence regarding damages from the Clines.<sup>8</sup>

The Clines then submitted a supplemental brief setting forth their requested damages and evidence in support.<sup>9</sup> The Clines seek back pay, recoverable costs, attorney fees, and prejudgment interest on back pay at a rate of 10%.<sup>10</sup> The court held a hearing regarding the Clines' proposed damages on September 11, 2023.<sup>11</sup> After considering the Clines' supplemental brief, evidence, and arguments made at the hearing, the court grants the Clines' motion<sup>12</sup> and enters default judgment against Parker as set forth below.

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<sup>5</sup> (Pls.' Mot. for Entry of Default Cert., Doc. No. 60.)

<sup>6</sup> (*See id.* at 3.)

<sup>7</sup> (*See* Mem. Decision and Order Granting in Part Mot. for Entry of Default Cert., Doc. No. 62.)

<sup>8</sup> (*See id.* at 5.)

<sup>9</sup> (*See* Pls.' Br. Regarding Damages ("Damages Br."), Doc. No. 65; Decl. of Zachary Aaron Cline Regarding Damages, Doc. No. 66; Decl. of Kenneth B. Grimes in Support of Pls.' Br. Regarding Damages, Doc. No. 67); Decl. of Riley A. Cline Regarding Damages, Doc. No. 69.)

<sup>10</sup> (*See generally* Damages Br., Doc. No. 65.)

<sup>11</sup> (*See* Minute Entry, Doc. No. 76.)

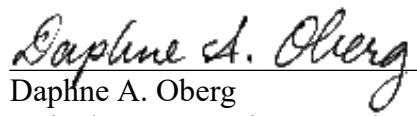
<sup>12</sup> (Pls.' Mot. for Entry of Default Cert., Doc. No. 60.)

IT IS HEREBY ORDERED AND ADJUDGED THAT:

1. Judgment is entered in favor of Plaintiff Riley Cline against Defendant Parker Industries, Inc., in the amount of \$45,456.28. This judgment amount constitutes the following:
  - a. Back pay to Riley Cline in the amount of \$20,373.59.
  - b. 10% prejudgment interest on Riley Cline's back pay in the amount of \$5,769.72.
  - c. Reasonable costs for Riley Cline in the amount of \$832.97.
  - d. Riley Cline's attorney fees in the amount of \$18,480.00.
2. Judgment is entered in favor of Plaintiff Zachary Cline against Defendant Parker Industries, Inc., in the amount of \$25,099.42. This judgment amount constitutes the following:
  - a. Back pay to Zachary Cline in the amount of \$9,606.00.
  - b. 10% prejudgment interest on Zachary Cline's back pay in the amount of \$2,682.60.
  - c. Reasonable costs for Zachary Cline in the amount of \$510.82.
  - d. Zachary Cline's attorney fees in the amount of \$12,300.00.

DATED this 13th day of September, 2023.

BY THE COURT:

  
Daphne A. Oberg  
United States Magistrate Judge